

Message Text

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PAGE 01 STATE 174326
ORIGIN DLOS-09

INFO OCT-01 ISO-00 /010 R

66011

DRAFTED BY: D/LOS:ABERLIND/AD

APPROVED BY: D/LOS:ABERLIND

-----098677 120529Z /64

R 111804Z JUL 78

FM SECSTATE WASHDC

INFO RUEHMO/AMEMBASSY MOSCOW 0000

USMISSION USUN NEW YORK

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FOLLOWING REPEAT WARSAW 5735 ACTION SECSTATE DATED JUL 08:

QTE: LIMITED OFFICIAL USE WARSAW 5735

EO 11652: NA

TAGS: PLOS PL US

SUBJ: POLISH DEMARCHE ON LAW OF THE SEA

CONFERENCE PROCEDURES

REF: STATE 151055

1. JAN WITEK, DIRECTOR OF THE DEPARTMENT OF LEGAL AND TREATY AFFAIRS OF THE MFA, CALLED IN THE POLITICAL COUNSELOR JULY 7 ON ANOTHER MATTER AND, AFTER DEALING WITH THAT SUBJECT (SEPTTEL), DELIVERED AN ORAL DEMARCH CONCERNING THE RESUMED SEVENTH SESSION OF THE LOS CONFERENCE. WITEK SAID THE GOP HAD LEARNED FROM ITS EMBASSIES IN SEVERAL CAPTIALS THAT THE US DELEGATION AND ITS CHAIRMAN WERE CONDUCTING CONSULTATIONS WITH CERTAIN COUNTRIES ON THE ORDER AND METHOD OF WORK FOR THE RESUMED SESSION. WITEK SAID HE WAS USING LIMITED OFFICIAL USE

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THIS INFORMAL MEANS OF CONVEYING POLISH IDEAS ON THE SUBJECT BECAUSE THE GOP HAD NOT RECEIVED ANY OFFICIAL COMMUNICATION FROM THE USG AND THUS DID NOT HAVE A COMPLETE PICTURE OF US VIEWS THAT WOUW WARRANT A WRITTEN COMMUNICATION. HOWEVER, THE REPORTS RECEIVED FROM VARIOUS CAPITALS JUSTIFICED TELLING US WHAT THE POLES DID KNOW WAS ENOUGH TO MAKE

THEM "IMPATIENT AND NOT VERY HAPPY".

2. THE GOP HAD THE IMPRESSION, WITEK CONTINUED, THAT AMBASSADOR'S RICHARDSON'S INTENTION IS TO BRING ABOUT A FREEZING OF DEBATE ON MATTERS BEFORE COMMITTEES II AND III AND THUS CLOSE NEGOTIATIONS ON THOS MATTERS AT THIS STAGE BECAUSE HE CONSIDERS THE RESULTS SO FAR ACHIEVED AS SATISFACTORY. IN EFFECT, ACCORDING TO WITEK, AMBASSADOR RICHARDSON IS SEEKING TO CONCENTRATE THE WORK OF THE RESUMED SESSION ON TWO OR THREE SLECTED ISSUES. THE GOP, HE SAID, ""CANNOT CONSIDER THAT INTENTION TO BE FORTUNATE".

3. WITEK EXPLAINED THAT AT THE END OF THE RECENT GENEVA MEETING OF THE CONFERENCE, THE POLISH DELEGATION HAD OFFICIALLY SOUGHT CLARIFICATION FROM THE CONFERENCE PRESIDENT ON THE AGENDA AND METHOD OF WORK TO BE FOLLOWED IN NEW YORK. THE PRESIDENT HAS ASSURED THEM THAT PROCEDURES IN NEW YORK WOULD BE THE SAME AS IN GENEVA. IT WOULD BE VERY DIFFICULT, WITEK SAID, FOR THE GOP TO ACCEPT ANY ALTERATION OF THIS POSITION.

4. SPECIFICALLY, WITEK WENT ON, THE POLES DO NOT THINK THE NEGOTIATIONS IN THE NANDAM GROUP HAVE PRODUCED AN ACCEPTABLE RESULT. NANDAN'S PROPOSALS CANNOT BE ACCEPTED AS A SERIOUS SOLUTION OF THE LIMITED OFFICIAL USE

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PROBLEMS OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES. IN GENERAL, ACCORDING TO WITEK, THE POLES DO NOT BELIVE THAT THE DEBUTE ON THE STATUS OF THE ECONOMIC ZONE HAS YET REACHED THE STAGE OF POSSIBLE COMPROMISE.

5. IN ADDITION, WITEK SAID, BESIDES SOME "MONOR ISSUES" THE PROBLEM OF DELIMITING CONTINENTAL SHELVES IS STILL OPEN. IN FACT, IT HAS NEVER BEEN SERIOUDLY DISCUSSED. ACCORDINGLY, IT WOULD NOT BE APPROPRIATE TO "JUMP OVER" THE NORMAL PROCESS OF NEGOTIATION ON THAT ISSUE. AT NEW YORK IT WOULD BE USEFUL FIRST TO DISCUSS HOW TO APPROACH NEGOTIATION OF THE PROBLEM.

6. MORE GENERALLY, WITEK WARNED, THE APPROACH OF DISCUSSING ONLY TWO OR THREE SELECTED ISSUES MAY PRODUCE UNEXPECTED CONSEQUENCES. IT COULD UNDERMINE CONFIDENCE, FOR EXAMPLE, THAT IT IS STILL THE INTENTION TO SOLVE UNSETTLED PROBLEMS ON THE BASIS OF PACKAGE DEALS AND COMPROMISES. THE GOP FEARS THAT WORKING ONLY ON SLECTED PROBLEMS MAY DESTROY HOPE OF FINDING COMPPROMISES GENERALLY.

7. WITH RESPECT TO PROCEDURES IN GENERAL, WITEK SAID, THE GOP ATTACHES GREAT IMPORTANCE TO THE AGREED PROGRAM OF WORK OF THE CONFERENCE ESTABLISHED AT THE INTERSESSIONAL MEETING IN GENEVA IN EARLY 1977. AT THE SEVENTH SESSION, HE MAINTAINED, SERIOUS DEVIATIONS FROM THAT AGREED PROGRAM TOOK PLACE. THE POLES HOPED THAT THE US DELEGATION SHARES THE GOP VIEW: (A) THAT THE SEVENTH SESSION WAS POORLY ORGANIZED; (B) THAT TOO MUCH TIME WAS LOST; (C) THAT THERE WAS ARBITRARY DECISION MAKING; (D) THAT VOTING TOOK PLACE; AND (E) THAT THERE WAS DEVIATION FROM FUNDAMENTAL AGREED PROCEDURES INCLUDING THE FACT THAT THE CENTRAL COMMITTEE "DID NOT PLAY ITS ROLE". LIMITED OFFICIAL USE

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THESE, WITEK SAID, WERE ENOUGH EXAMPLES TO SHOW WHY THE GOP HAS "CERTAIN WORRIES" AND WANTS TO RESTORE ORDER TO THE NEGOTIATING PROCESS. IN PARTICULAR, HE REPEATED, IT WOULD BE WISE TO CONSIDER RESUMING THE PROCEDURAL APPROACH SET UP AT THE 1977 GENEVA INTERSESSIONAL MEETING.

8. IN CONCLUSION, WITEK SAID, HE WANTED TO CONVEY THE POLISH DELEGATION'S APPRECIATION FOR THE PAST COOPERATION AND GOOD RELATIONS THEY HAD HAD WITH AMBASSADORS RICHARDSON AND CLINGAN AND OTHERS ON THE US DELEGATION. HE SAID THAT THE PROBLEM OF ACCESS OF TRADITIONAL LONG DISTANCE FISHING COUNTIES REMAINED OF THE GREATEST IMPORTANCE TO POLAND AND THAT THE GOP WOULD TAKE THE POSITION WITH RESPECT TO THIS ISSUE INTO ACCOUNT IN LOOKING AT ALL OTHER MATTERS AT THE LOS CONFERENCE. HE EXPRESSED THE HOPE THAT POLAND WOULD BE "OFFERED MORE PROFOUND COOPERATION AND UNDERSTANDING FROM THE US SIDE" ON THAT QUESTION IN FURTHER PROCEEDINGS OF THE CONFERENCE.

9. WE SUGGEST THAT YOU REPEAT THIS MESSAGE AS YOU SEE FIT.
SCHAUFELER UNQTE CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DEMARCHE, LAW OF THE SEA, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE174326
Document Source: CORE
Document Unique ID: 00
Drafter: D/LOS:ABERLIND/AD
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780284-1080
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780773/aaaacjoz.tel
Line Count: 160
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 54894977-c288-dd11-92da-001cc4696bcc
Office: ORIGIN DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 151055
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2048764
Secure: OPEN
Status: NATIVE
Subject: POLISH DEMARCHE ON LAW OF THE SEA CONFERENCE PROCEDURES
TAGS: PLOS, PL, US
To: MOSCOW
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/54894977-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014